



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

[Handwritten signature]

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,423	07/13/2001	Patrick H. Hayes	81230.62US2	4720
34018	7590	01/05/2004	EXAMINER	
GREENBERG TRAUIG, P.C. 77 WEST WACKER DRIVE CHICAGO, IL 60601-1732			SHAPIRO, LEONID	
			ART UNIT	PAPER NUMBER
			2673	
			DATE MAILED: 01/05/2004	

LS

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/905,423

Applicant(s)

PATRICK HAYES

Examiner

Leonid Shapiro

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

1. Claims 7-8,10,13-14, 16-17, 23, 25, 27 are rejected under 35 U.S.C. 102(a) as being anticipated by Allport (US Patent No. 6,104,334).

As to claim 7, Allport teaches a method of displaying information to a consumer relevant to the operation of consumer appliance, comprising: receiving at a Web server data that functions to identify the consumer appliance (See Fig. 15, items 10, 65, 420, in description See Col. 22, Lines 10-33), using the data at the Web server to retrieve an electronic document comprising human-readable information (IR command library) for instructing a consumer how to interact with one or more controls of the consumer appliance for the purpose of operating the consumer appliance that is identified by the data (load, test, unload) (See Fig. 15, items 10, 65, 420, in description See Col. 22, Lines 25-65 and Col. 8, Lines 60-63), transmitting the electronic document from Web server to a hand-held device whereby a representation of the electronic document is displayable on the hand-held device (See from Col. 5, Line 54 to Col. 6, Line 13 and Fig. 2, item 100, in Description See Col. 11, Lines 17-21).

As to claim 13, Allport teaches in hand-held device having a display, a readable media having instructions for displaying information relevant to the operation of consumer appliance, the instructions performing steps comprising: receiving the electronic document from a Web server, storing data that functions to identify the consumer appliance(See Fig. 15, items 10, 65,

Art Unit: 2673

420, in description See Col. 22, Lines 10-33), transmitting the data to a Web server which uses the data to retrieve an electronic document comprising human-readable information (IR command library) for instructing a consumer how to interact with one or more controls of the consumer appliance for the purpose of operating the consumer appliance (load, test, unload) (See Fig. 15, items 10, 65, 420, in description See Col. 22, Lines 25-65 and Col. 8, Lines 60-63), displaying a representation of the electronic document in the display (See from Col. 5, Line 54 to Col. 6, Line 13 and Fig. 2, item 100, in Description See Col. 11, Lines 17-21).

As to claim 17, Allport teaches a system, comprising: a hand-held device having a display and memory in which is stored data that function identify a make of a consumer appliance (See Fig. 15, items 10, 65, in description See Col. 22, Lines 10-33), Web site on which an electronic document comprising human-readable information (IR command library) for instructing a consumer how to interact with one or more controls of the consumer appliance for the purpose of operating the consumer appliance (load, test, unload) (See Fig. 15, items 10, 65, 420, in description See Col. 22, Lines 25-65 and Col. 8, Lines 60-63), wherein the hand-held device is adapted to communicate the data to the Web site to retrieve the electronic document whereby a representation of the electronic document may be displayed in the display (See from Col. 5, Line 54 to Col. 6, Line 13 and Fig. 2, item 100, in Description See Col. 11, Lines 17-21).

As to claim 23, Allport teaches a hand-held device, comprising: a display and memory in which is stored data that function identify a make of a consumer appliance (See Fig. 15, items 10, 65, in description See Col. 22, Lines 10-33), a browser application comprising instructions for retrieving via a network connection an electronic document comprising human-readable information (IR command library) in a form for instructing a consumer how to interact with one

Art Unit: 2673

or more controls of the consumer appliance for the purpose of operating the consumer appliance (load, test, unload) (See Fig. 15, items 10, 65, 420, in description See Col. 22, Lines 25-65 and Col. 8, Lines 60-63) that is identified by the data in the memory and for displaying a representation of the retrieved document in the display (See from Col. 5, Line 54 to Col. 6, Line 13 and Fig. 2, item 100, in Description See Col. 11, Lines 17-21).

As to claims 8, 14, Allport teaches a browser application for retrieving and displaying the representation of the electronic document (See Col. 24, Lines 51-65).

As to claims 10, 16, 27, Allport teaches a remote control having a memory in which are stored a library of command codes for commanding the operation of a plurality of different consumer appliances and a set-up program by which the data representative of the consumer appliance is used to select command codes from the library of command codes that are appropriate to command the operation of the consumer appliance (See Fig. 15, items 10, 65, 420, in description See Col. 22, Lines 25-65 and Col. 8, Lines 60-63).

As to claim 25, Allport teaches the network comprises the Internet (See Col. 5, Lines 54-59).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2673

2. Claims 1-3, 5-6, 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abrams et al. (US Patent No. 6,587,739 B1) in view of Amro et al. (US Patent No. 6,507,762 B1).

As to claim 1, Abrams et al. teaches a system comprising: a consumer appliance having memory (See Fig. 2, item 224, in description See Col. 4, Lines 51-55), the memory having stored therein an electronic document comprising human-readable information in form for instructing a consumer how to interact with one or more controls of the consumer appliance for the purpose of operating of the consumer appliance (See Fig. 4, item 50, in description See from Col. 10, Lines 67 to Col. 11, Line 27 and Col. 12, Lines 19-28); and a hand-held device having a display (See Fig. 4, item 410, in description See from Col. , Line 67 to Col. 10, Line 10).

Abrams et al. do not show the appliance and the hand-held device are adapted to communicate such that the appliance can transmit signals indicative of the electronic document to the hand-held device and the hand-held device can display in the display a representation of the electronic document.

Amro et al. teaches the appliance and the hand-held device are adapted to communicate such that the appliance can transmit signals indicative of the electronic document (graphical interface and configuration file in Amro et al. reference) to the hand-held device and the hand-held device can display in the display a representation of the electronic document (See Figs. 8-9, items 270, 356, 358, 430, 440, in description See Col. 6, Lines 25-42 and Co.7, Lines 3-17).

Art Unit: 2673

It would have been obvious to one of ordinary skill in the art at the time of the invention to display a representation of the electronic document as shown by Amro et al. in Abrams et al. apparatus and method order to allow consumer appliances to be remotely controlled (See Col. 2, Lines 6-8 in the Amro et al. reference).

As to claim 5, Abrams et al. teaches a method of displaying information to consumer relevant to the operation of a consumer appliance, comprising: retrieving an electronic document from a memory resident on the consumer appliance, the electronic document comprising human-readable information in form for instructing a consumer how to interact with one or more controls of the consumer appliance for the purpose of operating of the consumer appliance (See Fig. 4, item 50, in description See from Col. 10, Lines 67 to Col. 11, Line 27 and Col. 12, Lines 19-28).

Abrams et al. do not show displaying a representation of the electronic document on a hand-held device.

Amro et al. teaches displaying a representation of the electronic document on a hand-held device (graphical interface and configuration file in Amro et al. reference) (See Figs. 8-9, items 270, 356, 358, 430, 440, in description See Col. 6, Lines 25-42 and Co.7, Lines 3-17).

It would have been obvious to one of ordinary skill in the art at the time of the invention to display a representation of the electronic document as shown by Amro et al. in Abrams et al. apparatus and method order to allow consumer appliances to be remotely controlled (See Col. 2, Lines 6-8 in the Amro et al. reference).

As to claim 11, Abrams et al. teaches in hand-held device, a readable media having instructions for displaying a document including information relevant to the operation of a

Art Unit: 2673

consumer appliance, the instructions performing steps comprising: transmitting a command to the consumer appliance to cause the consumer appliance to transmit to the hand-held device an electronic document comprising human-readable information in a form for instructing a consumer how to interact with one or more controls of the consumer appliance for the purpose of operating of the consumer appliance, the electronic document being retrieved from a memory resident on a consumer appliance (See Fig. 4, item 50, in description See from Col. 10, Lines 67 to Col. 11, Line 27 and Col. 12, Lines 19-28).

Abrams et al. do not show displaying a representation of the electronic document on a hand-held device.

Amro et al. teaches displaying a representation of the electronic document on a hand-held device (graphical interface and configuration file in Amro et al. reference) (See Figs. 8-9, items 270, 356, 358, 430, 440, in description See Col. 6, Lines 25-42 and Co.7, Lines 3-17).

It would have been obvious to one of ordinary skill in the art at the time of the invention to display a representation of the electronic document as shown by Amro et al. in Abrams et al. apparatus and method order to allow consumer appliances to be remotely controlled (See Col. 2, Lines 6-8 in the Amro et al. reference).

As to claim 2, Abrams et al. teaches a kitchen appliance and the human-readable information comprises a recipe (See Fig. 1, items 52, 54, in description See Col. 3, Lines 53-55 and Col. 11, Lines 55-58).

As to claims 3, 6, 12 Amro et al. teaches hand-held device is a remote control device having commands for remotely interacting with the one or more controls of the consumer appliance (See Figs. 8-9, item 360, in description See Col. 7, Lines 18-21).

3. Claim 4 rejected under 35 U.S.C. 103(a) as being unpatentable over Abrams et al. and Amro et al. as aforementioned in claim 1 in view of Morris (US Patent No. 6,353,848 B1).

Abrams et al. and Amro et al. do not show the electronic document in form of mark-up language document.

Morris teaches the electronic document in form of mark-up language document (See Fig. 1A, item 121, in description See Col. 7, Lines 16-18).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use mark-up language document as shown by Morris in Abrams et al. and Amro et al. apparatus in order to allow appliances to be remotely controlled.

4. Claims 9, 15, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allport as aforementioned in claims 7, 13, 23 in view of Ketcham (US Patent No. 6,195,589 B1).

Allport does not show a bar code reader as part of the hand-held device for use in entering the data representative of the consumer appliance and the method comprises receiving the data in a transmission from hand-held device.

Ketcham teaches a bar code reader as part of the hand-held device for use in entering the information representative of the consumer appliance (See Fig. 3, item 54, in description See Col. From Col. 3. Line 60 to Col. 5, Line 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use a bar code reader as shown by Ketcham in Allport method in order to allow appliances to be remotely controlled.

5. Claim 18 rejected under 35 U.S.C. 103(a) as being unpatentable over Allport as aforementioned in claim 17 in view of Kolawa et al. (US Patent No. 6,236,974 B1).

Allport does not show the appliance, as a kitchen appliance and the human-readable information comprise a recipe.

Kolawa et al. teaches the appliance as a kitchen appliance and the instruction relevant to the operation of the consumer appliance comprise a recipe (See Fig. 1, items 10,16, in description See from Col. 2, Line 66 to Col. 3, Line 15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use a kitchen appliance and the human-readable information comprise a recipe as shown by Kolawa et al. in Allport apparatus in order to allow appliances to be remotely.

6. Claims 19-22, 24 rejected under 35 U.S.C. 103(a) as being unpatentable over Allport as aforementioned in claims 17 and 23 in view of Amro et al.

Allport does not show the human-readable information comprises multiple linked pages and browser which adapted user manual.

Amro et al. teach hand-held device (a remote control) comprises PDA (See Fig. 5, item 110, in description See Col. 5, Lines 21-24).

It would have been obvious to one of ordinary skill in the art at the time of the invention that PDA will be able to use the human-readable information with multiple linked pages and browser which adapted user manual in the Allport apparatus and method in order to allow appliances to be remotely controlled (See Col. 2, Lines 6-8 in the Amro et al. reference).

Response to Amendment

7. Applicant's arguments with respect to claims 1-27 filed on 11-10-03 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

The Allport (US Patent No. 6, 097,441) reference discloses system for dual display interaction with integrated television and Internet content.

The Ilan et al. (US Patent No. 6, 335, 726) reference discloses instruction and/or identification input unit.

The Hollins et al. (US Patent No. 5,321,229) reference discloses remote control for domestic appliance.

The Shen et al. (US Patent No. 6, 401, 059) reference discloses method and system for using PDA as a remote control.

Telephone inquire

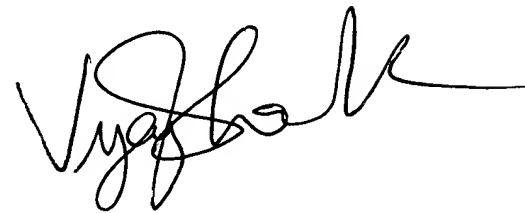
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 703-305-5661. The examiner can normally be reached on 8 a.m. to 5 p.m..

Art Unit: 2673

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703-305-4938. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

ls

A handwritten signature in black ink, appearing to read 'Vijay Shankar', with a long horizontal line extending to the right.

**VIJAY SHANKAR
PRIMARY EXAMINER**